

MEETING NOTICE AND AGENDA
MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting

Monday, July 7, 2014 ■ 7:05 PM

Or upon completion of Special Inland Wetlands Agency Meeting

Audrey P. Beck Municipal Building ■ 4 South Eagleville Road ■ Council Chambers

1. Call to Order

2. Roll Call

3. Approval of Minutes

- a. June 16, 2014 Meeting
- b. June 11, 2014 Field Trip

4. Zoning Agent's Report

- a. Monthly Permit Activity (June)

5. Public Hearing

7:10 p.m.

Application to Amend the Zoning Regulations, East Brook F, LLC, PZC File #1326

Memo from Director of Planning and Development

7:30 p.m.

New Special Permit, Colonial Townhouse Apartments, Foster Drive, PZC File #1327

Memo from Director of Planning and Development

6. Old Business

- a. **Application to Amend the Zoning Regulations, East Brook F, LLC, PZC File #1326**
- b. **New Special Permit, Colonial Townhouse Apartments, Foster Drive, PZC File #1327**
- c. **Gravel Permit Renewals**
 - Banis property on Pleasant Valley Road (File #1164)
 - Hall property on Old Mansfield Hollow Road (File #910-2)
 - Green Property, 1090 Stafford Road (File #1258)
 - Mason Brook LLC/Kueffner Property, 3 Merrow Road (File #1309)
(Tabled Pending 7/21/14 Public Hearing)
- d. **Other**

7. New Business

- a. **Modification Request, 1768 Storrs Road, PZC File# 864-3**
Memo from Zoning Agent
- b. **Release of Bond, Mansfield Hollow Hydro, PZC File #1243**
Memo from Zoning Agent
- c. **Scenic Road Alteration Request, Dog Lane and Gurleyville Road, PZC File#1010-5 and #1010-8**
Memo from Director of Planning and Development
- d. **PZC Summer Vacation Schedule**
Memo from Director of Planning and Development
- e. **Other**

Binu Chandy ■ JoAnn Goodwin ■ Roswell Hall III ■ Katherine Holt ■ Gregory Lewis ■ Peter Plante
Barry Pociask ■ Kenneth Rawn ■ Bonnie Ryan ■ Paul Aho (A) ■ Vera Stearns Ward (A) ■ Susan Westa (A)

8. Mansfield Tomorrow | Our Plan ▶ Our Future

9. Reports from Officers and Committees

- a. **Chairman's Report**
- b. **Regional Planning Commission**
- c. **Regulatory Review Committee**
- d. **Subcommittee on Infrastructure**
Minutes from 6/23/2014 Meeting & Revised Criteria/Priority List
- e. **Planning and Development Director's Report**
- f. **Other**

10. Communications and Bills

- a. **Other**

11. Adjournment

DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, June 16, 2014
Council Chamber, Audrey P. Beck Municipal Building

Members present: Chairman Goodwin, R. Hall, K. Holt, P. Plante (departed 8:55 pm), K. Rawn, B. Ryan
Members absent: B. Chandy, G. Lewis, B. Pociask
Alternates present: P. Aho, S. Westa, V. Ward
Staff Present: Linda Painter, Director of Planning and Development
Curt Hirsch, Zoning Agent

Chairman Goodwin called the meeting to order at 7:17 p.m. Alternates Aho, Westa and Ward were seated for absent members Chandy, Lewis and Pociask.

Approval of Minutes:

a. June 2, 2014 Meeting

Aho MOVED, Hall seconded, to approve the 06-02-14 minutes as corrected by Holt. MOTION PASSED UNANIMOUSLY. Ward noted that she listened to the recording.

b. June 11, 2014 Field Trip

Holt MOVED, Goodwin seconded, to approve the 06-11-14 minutes as written. MOTION PASSED with Holt and Goodwin in favor; all others disqualified.

Zoning Agent's Report:

Hirsch reported that both ZBA applications he discussed at the last meeting were denied.

Old Business:

a. Application to Amend the Zoning Regulations, East Book F, LLC, PZC File #1326

Tabled Pending 7/7/14 Public Hearing.

c. New Special Permit, Colonial Townhouse Apartments, Foster Drive, PZC File #1327

Tabled Pending 7/7/14 Public Hearing.

d. Gravel Permit Renewals

- Banis property on Pleasant Valley Road (File #1164)
- Hall property on Old Mansfield Hollow Road (File #910-2)
- Green Property, 1090 Stafford Road (File #1258)
- Mason Brook LLC/Kueffner Property, 3 Merrow Road (File #1309)

Tabled Pending 7/21/14 Public Hearing.

New Business:

a. Renewal/Extension Request: Sauve Subdivision, (PZC File #1311)

Westa MOVED, Ward seconded, to extend the filing deadline for the Sauve Subdivision (File 1311) to August 15, 2014. MOTION PASSED UNANIMOUSLY.

b. Appoint a representative to the Mansfield/CWC Water Planning/Advisory group

Members reviewed the 6-16-14 Town Attorney's opinion and concurred with the recommendation that it was not appropriate for a member of the PZC to serve on the Water System Advisory Committee. Painter will forward the Town Attorney's opinion letter and PZC determination to the Town Clerk.

c. Paideia Request to Modify Approved Plans for Amphitheatre and Exhibit Project, (PZC File #1049-7)

Item postponed. Awaiting corrected plans from applicant.

d. Town of Windham Regulation and Map Changes

Members discussed Town of Windham's proposed zoning regulations and map changes and determined by consensus that no formal comments will be submitted.

Mansfield Tomorrow | Our Plan ► Our Future:

The Commission finished discussion of Chapter 10 of the draft plan. Painter distributed additional materials on NRPZ zoning for Commission review. After discussion, the Commission determined that it would prefer to review the revised plan in its entirety rather than a few chapters at a time. The July 21st meeting was identified as the target date for the next review.

Reports from Officers and Committees:

Noted.

Communications and Bills:

Holt MOVED, Ryan seconded, to appoint Susan Westa as the representative for CRCOG Regional Planning Commission and Ros Hall as the alternate. MOTION PASSED UNANIMOUSLY.

Adjournment: The Chairman adjourned the meeting at 9:11 p.m.

Respectfully submitted,

Katherine Holt, Secretary

DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION
INLAND WETLANDS AGENCY
CONSERVATION COMMISSION
FIELD TRIP
Special Meeting
Wednesday, June 11, 2014

Members present: J. Goodwin, K. Holt (sites 1, 2, 3, & 5)
Staff present: L. Painter, Director of Planning and Development

The field trip began at 3:05 p.m.

Gravel Renewal, Mason Brook LLC/Kueffner Property, 3 Merrow Road, File #1309

Members were met on site by Philip Desiato. Members observed current conditions, and site characteristics. No decisions were made.

Gravel Renewal, Green Property, 1920 Stafford Road, File #1258

Members were met on site by Karen Green. Members observed current conditions, and site characteristics. No decisions were made.

Gravel Renewal, Banis Property, Pleasant Valley Road, File #1164

Members were met on site by Steven Banis. Members observed current conditions, and site characteristics. No decisions were made.

Special Permit, Colonial Townhouse Apartments, Foster Drive, File #1327

Members were met on site by Jeff Kamm, Wadsworth Kamm Architects; John Heagle, Megson, Heagle, & Friend, LLC; and Daryll Chamberlain, Colonial Townhouse Apartments. Members observed current conditions, and site characteristics. No decisions were made.

Gravel Renewal, Hall Property, Old Mansfield Hollow Road, File #910-2

Members were met on site by Ed Hall. Members observed current conditions, and site characteristics. No decisions were made.

The field trip ended at approximately 4:50 p.m.

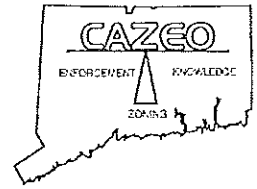
Respectfully submitted,

K. Holt, Secretary

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Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

Memo to: Planning and Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: June 30, 2014

MONTHLY PERMIT ACTIVITY for June, 2014

ZONING PERMITS

<u>Name</u>	<u>Address</u>	<u>Purpose</u>
Mattingly	21 Pine Ridge Rd.	8 x 8 shed
Hultgren	29 Birchwood Hts. Rd.	storable pool
Smith	243 Atwoodville Rd.	shed
Dancy	56 Farrell Rd.	garage & porch
Equity Trust	Lot 2 Puddin La.	1 fm dw
Beebe	12 Beebe La.	house addition
OMS Development	1659 Storrs Rd.	bldg./site development
Flubacher	86 Pleasant Valley Rd.	10 x 16 shed
Flubacher	86 PV Rd.	Home Occupation – maintenance
Beaudoin	1 Uncas Ct.	10 x 12 deck
Bee	174 Puddin La.	10 x 16 shed
Cheney	156 Stafford Rd.	27' above pool

CERTIFICATES OF COMPLIANCE

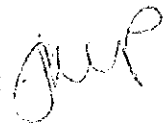
Farris	497 Middle Tpke.	thrift shop
Beal/Higgins	828 Wormwood Hill Rd.	barn
Storrs Center Alliance	1220 Storrs Rd.	grocery store
Klein	13 Westwood Rd.	shed
Bagwell	512 Chaffeeville Rd.	house addition
Norgaard	556 Wormwood Hill Rd.	rebuild 1 fm dw
Bailey	12 Brookside La.	gazebo & spa tub

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TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Planning and Zoning Commission

From: Linda M. Painter, AICP, Director of Planning and Development 

Date: July 3, 2014

Subject: PZC File #1326
 Proposed Revisions to Zoning Regulations
 Article 6, Section B.23.q.2; Article 8-Schedule of Dimensional Requirements and Notes;
 Article 10, Section D.20 (new) and Article 10, Section H.5.e

Overview of Zoning Amendment Process

My review comments are based on application submissions, consideration of existing Zoning Regulations, Mansfield's Plan of Conservation and Development, State and Regional land use plans and professional conclusions regarding the merits of the proposed regulation revisions. My comments must be reviewed with respect to testimony and information presented at the July 7, 2014 Public Hearing and any subsequent continuations and the Commission's collective knowledge of the Town's needs and desires. No new information should be received from the applicant or the public after the close of the Public Hearing process. It is important to note that unless extensions are authorized, the public hearing must be closed by August 11, 2014. The Commission must make a decision on these applications within 65 days of the close of the Public Hearing. Collective reasons for the Commission's decisions should be clearly documented.

As with any proposed regulation amendment, the PZC must weigh anticipated public and private benefits versus anticipated public and private costs. All zoning regulations should be designed to serve a community need while protecting the "public's health, safety, convenience and property values". The Commission has the legislative discretion to determine what is best for the community as a whole, and the Zoning Regulations and Map can and should be modified to meet changing circumstances, Plan of Conservation and Development goals, objectives and recommendations or to address a recognized public need. Section 8-2 of the Connecticut General Statutes and Articles I and XIII of the Zoning Regulations provide information on the legislative framework within which PZC decisions must be made. Section 8-3a of the Connecticut General Statutes requires that the Commission making a finding regarding consistency with the Plan of Conservation and Development.

Description of Proposed Amendments

East Brook F LLC has submitted an application to amend several sections of the Mansfield Zoning Regulations to address the impacts of a recent Appellate Court decision, MacKenzie v. Planning and Zoning Commission of the Town of Monroe. This decision held that regulations allowing a planning and zoning commission to waive compliance with or vary or modify the requirements of a regulation that is

otherwise applicable to a specific development application is unauthorized by Connecticut General Statutes and is therefore invalid. In its approval of an expansion to East Brook Mall in 2012, the Commission used existing provisions in the Mansfield Zoning Regulations that could be construed as waivers under the *MacKenzie* decision. The approval of that expansion was appealed by a neighboring property owner and subsequent to the *MacKenzie* decision, the judge hearing the appeal ordered that a new hearing be held on the expansion application with proper notice. As the original approval included waivers/modifications to regulations, the applicant is requesting revisions to several sections of the Zoning Regulations to eliminate the need for modifications or waivers to regulations prior to requesting a new hearing on the expansion. The proposed revisions are outlined below (deleted language is shown in ~~strike-through~~; new language is underlined):

Article 6, Section B.23.q.2 ▪ Landscape Buffers

The proposed amendment would eliminate the minimum 50-foot wide landscape buffer width required under certain circumstances and give the Commission the discretion to require a buffer up to 75 feet wide. The width of buffers adjacent to wetlands, watercourses and water bodies would be as determined by the Inland Wetlands Agency.

~~Where a site abuts a more restrictive zone or existing residential uses, a landscaped buffer area shall be required along the subject property lines and/or zone boundary line. A landscape buffer shall also be required when a commercial, industrial, multi-family or other non-residential use abuts an historic structure, cemetery or environmentally sensitive feature such as a river, brook, pond or wetland area. Said buffer shall be at least 50 feet wide, unless reduced by the Commission due to existing physical characteristics, such as topography, adjacent flood hazard, or the nature of wetland areas; the location of existing structures; existing non-conforming lot size; the nature of the activity or the nature of the landscaping plan. The Commission shall have the authority to require up to a 75 foot wide landscaped buffer area where a site abuts a more restrictive zone or an existing residential use. In addition, the Commission shall have the authority to require a landscaped buffer area when a commercial, industrial, multi-family or other non-residential use abuts a historic structure or a cemetery. The width of the buffer for commercial, industrial, multi-family or other non-residential use that abuts a historic structure or cemetery shall be determined with reference to the existing physical characteristics of the property, such as topography, adjacent flood hazard, the location of existing structures, existing non-conforming lot characteristics, the nature of the activity or the nature of activity or the nature of the landscaping plan but in no event may the Commission require more than a 75 foot buffer. Buffers for a commercial, industrial, multi-family or other non-residential use that abuts an environmentally sensitive feature such as a river, brook, pond or wetland area shall be as determined by the Inland Wetland Agency. The designated buffer shall be attractively landscaped and shall be designed to achieve the desired buffering objectives, which may include the visual screening of the proposed use from abutting properties, the minimizing of auditory impacts and the protection and enhancement of historic structures, cemeteries or environmentally sensitive features. The buffer design shall consider vegetated earthen berms, multiple rows of staggered evergreens, selective plantings, walls, fencing, existing vegetation and other landscape measures. Due to special provisions contained or referenced in Article X, Section S, the landscape buffer requirements contained in this paragraph shall not apply to land zoned SC-SDD.~~

Article 8 ■ Schedule of Dimensional Requirements and New Note 22

The proposed amendments would change front, side and rear setback requirements for properties in the PB-1, PB-2, PB-3, PB-4, PB-5 and I zones as shown below and add a new Note 22 to the Schedule of Dimensional Requirements.

ZONE	MINIMUM LOT AREA/ACRES See Notes (3) (4) (18)	MINIMUM LOT FRONTAGE/FT See Notes (4)(6)(7)(13)(16)	MIN. FRONT SETBACK LINE (IN FEET) See Notes (4)(8)(9)(15)(16) (17)(21)	MIN. SIDE SETBACK LINE (IN FEET) See Notes (4)(10)(11)(15)(16) (17)(21)	MIN. REAR SETBACK LINE (IN FEET) See Note (4)(15)(16) (17)(21)	MAXIMUM HEIGHT See Note (14)(17)	MAXIMUM BUILDING GROUND COVERAGE (17)
PB-1, PB-2, PB-3, PB-4, PB-5, I; SEE NOTE (1)	SEE NOTE (5)	300	400 26 (See NOTE 22)	50 16 on at least one side; other side may be zero; for buildings with a height of 30 feet one side yard must be at least 26 (See Note 22)	50 16; for buildings with a height in excess of 30 feet rear yard must be 26 feet (See Note 22)	40 (SEE NOTE 19)	(PB-1) 25% 20%

Note 22. If a property in one of the listed zones abuts a residentially owned property, then the yard that is adjacent to such residentially owned property shall meet the following applicable requirement: Front Yard – 100 feet; Side Yard – 50 feet; Rear Yard – 50 feet.

Article 10, Section D.6 ■ Required Parking Spaces

The proposed amendments would change the parking requirements for properties with over 250,000 square feet of gross floor area as follows:

U	Retail and, personal service, restaurant and other similar uses within a building or buildings on a site that contains not less than 250,000 sq. ft. of gross floor area in all buildings	Four spaces per 1,000 sq. ft. of net retail floor area. Interior pedestrian walkways between tenant spaces shall not be included as net retail floor area.
✓	Restaurants located within a building containing greater than 250,000 sq. ft. of gross area, where food and drink are consumed and there is a specified take-out service	One for each three and one-half customer spaces (as defined in subsection j above)

Article 10, Section D ■ New provision allowing for deferred construction of required parking

The proposed revisions would add a new provision allowing for deferred construction of a limited amount of parking spaces if supported by a parking study:

20. Deferred Construction. In a commercial development in a Planned Business Zone, an applicant may defer construction of not more than ten percent (10%) of the required parking spaces provided it indicates on its site plan the location where such parking shall be constructed should actual use indicate a need for such parking spaces and provided further that it provides a

parking study as part of its application to demonstrate that the deferral of construction of such spaces will not adversely impact the operation of the development. If, at any time, the zoning enforcement officer determines that the deferred parking spaces (or a portion thereof) are required for the operation of the property in a safe manner, the owner shall construct such deferred parking spaces within a reasonable period of time of receipt of written notice from the zoning enforcement officer and, in any case, not less than 180 days from receipt of such notice.

Article 10, Section H.5.e ■ Excavation within 50 feet of a property line

The proposed revisions would eliminate the requirement that any excavation within 50 feet of a property line receive written approval from the abutting property owner and instead require specific notice of the permit application to be provided to the abutting owner, which would allow the adjacent owner to identify concerns with the proposed excavation to the Commission. The applicant believes that the current provision requiring written authorization from an abutting owner is an improper delegation of the Commission's authority:

~~All~~If any excavation shall take place at ~~within~~at least fifty (50) feet from a property line, ~~unless written approval to reduce the separation distance to less than fifty (50) feet has been granted by adjacent property owners. Depending on specific site and neighborhood characteristics, the Commission shall have the right to require a greater separation distance from a residential property line if the additional distance will help minimize the potential for detrimental neighborhood impacts~~the applicant shall give notice of the application to the owner(s) of property from which such fifty (50) feet is measured within seven (7) days following the Commission's receipt of the application. Said notification, which shall be sent by Certified Mail, shall include the applicant's Statement of Use and mapping that depicts areas of proposed activity. The notice shall also reference that the complete application is available for review in the Mansfield Planning Office.

The applicant has submitted a Statement of Justification in support of the proposed text revisions, including a supplemental Statement of Justification submitted via email on June 23, 2014 (attached). This supplemental information was received before the public hearing notice was published in *The Chronicle* as required by Article XIII, Section A. No changes to the proposed language of the amendments were submitted as part of the supplemental Statement of Justification.

Additional testimony is expected at the July 7th Public Hearing. As with any zoning amendment application, the burden is on the applicant to demonstrate that the proposal is acceptable and in the best interests of the Town.

Consistency with Regional Land Use Plans

2010 Windham Regional Land Use Plan

As of the date the application was filed, Mansfield was a member of the Windham Region Council of Governments. As such, the application was referred to the Windham Regional Planning Commission for review. Pursuant to their June 4, 2014 letter, the proposed revisions are consistent with the 2010 Regional Land Use Plan recommendation that zoning and subdivision regulations include flexibility in design and use standards (see letter dated June 4, 2014).

2014-2024 Capitol Region Plan of Conservation and Development

As of July 1, 2014, Mansfield is now a member of the Capitol Region Council of Governments. As a result of this new transition, Mansfield is not yet included in the CRCOG land use plan maps. However, CRCOG staff did review the proposed revisions and found no conflict with the CRCOG 2014-2024 Regional Plan of Conservation and Development (see letter dated June 10, 2014).

Approval Criteria

Pursuant to Article XIII, Section D, the Commission must determine that the applicant's proposal will promote the public's health, safety, property values and general welfare.

Furthermore, the Commission is required to make the following findings:

1. The proposal is complete and contains all required information.

Pursuant to Article XIII, Section B, the applicant submitted a complete application form, Statement of Justification, including supplemental justification submitted via email on June 23, 2014, and exact wording of the proposed amendments.

2. The proposal is consistent with the goals, policies and recommendations contained within the Mansfield Plan of Conservation and Development. This finding shall be stated on the record, pursuant to Section 8-3a of the State Statutes.

Policy Goal 1, Objective d of the Mansfield Plan of Conservation and Development (POCD) states: "To promote the public's health, safety and convenience, to protect and enhance property values, to protect Mansfield's natural and manmade resources and to promote other goals and objectives contained in this Plan by strengthening land use regulations, particularly permitted use provisions, application requirements and approval standards." The proposed changes would strengthen the land use regulations by making the specified provisions consistent with binding precedent established in recent court decisions. Additionally, it is specifically noted that one of the recommendations under Objective d discussed review of parking requirements to ensure that adequate but not excessive numbers of parking spaces are provided for land use developments.

3. The proposal is consistent with the expression of regulatory intent and purpose contained in the provisions of Article I of these regulations and Section 8-2 of the Connecticut General Statutes, as amended.

As described in Article I of the Regulations, the zoning regulations have been designed to meet the Town's statutory responsibilities as outlined in the Connecticut General Statutes, as well as several purpose statements, including the protecting the community's health, safety and welfare, providing for orderly growth, protecting character and property values, encouraging safe and efficient vehicular and pedestrian circulation, encouraging a variety of housing and economic development opportunities and encouraging appropriate and compatible use of land within the various districts and throughout the town.

The proposed changes continue to promote the orderly development of the community and protecting character and property values while eliminating conflicts identified by the recent *MacKenzie* decision.

4. *Any proposal to amend the Zoning Regulations is appropriately worded and legally sound and comprehensive and consistent with respect to other regulatory provisions.*

The proposed regulation revisions do not result in the need for other changes to the Zoning regulations. However, it is expected that additional changes to the regulations will be needed in the near term to bring them fully into compliance with the *MacKenzie* decision.

There is one minor correction to a typo in the proposed language for Section B.23.q.2 – it should reference the Inland Wetlands Agency, not Inland Wetland Agency. While the changes are acceptably worded, staff recommends the following changes to the applicant's proposed revisions:

- *Article 10, Section H.5.e* – Amend the second sentence of the revised language to include notice of date and time of scheduled public hearing: Said notification, which shall be sent by Certified Mail, shall include the date and time of the scheduled Public Hearing, the applicant's Statement of Use and mapping that depicts areas of proposed activity.
- *Article 8, Schedule of Dimensional Requirements and Notes*
With regard to the proposed setbacks for the PB and I zones, the applicant has based the dimensions on OSHA recommendations for fire access. However, the Town has adopted specific standards for fire lanes and accessibility of fire apparatus (Sections 125.5 and 125.6 of the Code of Ordinances, attached). These standards generally require a 20-foot wide fire lane around the perimeter of a new building that is set back at least 10 feet from the face of the building. However, the regulations also include exemptions for existing buildings and buildings that are protected with automatic sprinkler systems. To improve consistency with the Town's existing fire lane ordinance, staff recommends that the revisions to the Schedule of Dimensional Requirements be changed to require a 30 foot front yard setback (instead of 26), 30 foot side yard setback on at least one side (instead of 16 or 26), a 30 foot rear setback (instead of 16 or 26) and acknowledgement in the proposed note that larger setbacks may be required to ensure compliance with the Town's fire lane ordinance. These changes would result in larger setbacks than those proposed by the applicant and eliminate the different side and rear setbacks based on building height, which is not a criteria used by the Town to determine need for a fire lane:

MIN. FRONT SETBACK LINE (IN FEET) See Notes (4)(8)(9)(15)(16) (17)(21)	MIN. SIDE SETBACK LINE (IN FEET) See Notes (4)(10)(11)(15)(16) (17)(21)	MIN. REAR SETBACK LINE (IN FEET) See Note (4)(15)(16) (17)(21)
400 30 (See NOTE 22)	50 30 on at least one side; other side may be zero (See Note 22)	50 30 (See Note 22)

Revise Note 22 to include provisions for larger setbacks based on Fire Lane Ordinance: If a property in one of the listed zones abuts a residentially owned property, then the yard that is adjacent to such residentially owned property shall meet the following

applicable requirement: Front Yard – 100 feet; Side Yard – 50 feet; Rear Yard – 50 feet. Larger setbacks may also be required to ensure compliance with the Town's Fire Lane Ordinance (Chapter 125 of the Mansfield Code of Ordinances).

It is also noted that there are several numbering errors in the current published draft of the regulations that need to be corrected; these errors occurred as a result of automatic numbering errors propagated by the software when the last set of regulation amendments were produced and include mis-numbering of Article Six, Section B, the subsections of which now start with the number (20) instead of (1).

An opinion has been requested from the Town Attorney with regard to the legality of the proposed amendment; this opinion should be received prior to the close of the public hearing.

5. *Any proposal to revise the Zoning Map has comprehensively considered: the size and physical characteristics of the subject area; the character and supply of land currently zoned in the subject classification; and the effect of the proposal on existing land uses in the surrounding area.* The proposed amendments continue to provide for flexibility in design while maintaining the original intent of the regulations. The changes to dimensional requirements establish new minimums while still allowing the Commission the authority to require larger setbacks through both the new note and existing provisions related to site design in Design Development Districts (Article X, Section A.4.d).

Summary

The proposed Zoning Regulation amendments present a policy issue for the Commission's legislative discretion. Subject to any Public Hearing comments, my review indicates that the proposed regulation revisions are acceptably worded and can be adopted without conflict with other regulatory provisions. I would recommend the Commission consider changes to the language proposed by the applicant as identified above. Additionally, any approval motion should authorize staff to correct the numbering errors throughout the Regulations to restore a consistent numbering system where new subsections start with the number (1), letter (a), etc. and ascend progressively with no gaps or duplications.

NOTES

- The analysis and recommendations contained in this report are based on the following information submitted by the applicants:
 - Application to Amend the Regulations submitted May 15, 2014 and received by the PZC on May 19, 2014, including proposed text of the changes to regulations, Statement of Justification and a supplemental Statement of Justification submitted via email on June 23, 2014.
- The following correspondence regarding the proposed amendments has been received:
 - June 4, 2014-Windham Regional Planning Commission
 - June 10, 2014-Capitol Regional Planning Commission
- The Public Hearing on this item will be opened on July 7, 2014 and must be closed by August 11, 2014 unless a written extension is granted by the applicants.
- Before rendering a decision, the Planning and Zoning Commission must consider other referral reports and public hearing testimony. A decision must be made within 65 days of the close of the Public Hearing unless the applicants grant a written extension.

*Town of Mansfield, CT
Thursday, July 3, 2014*

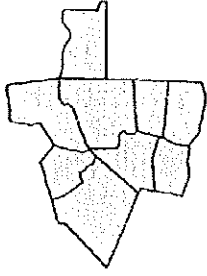
Chapter 125. FIRE LANES

§ 125-5. Required access for fire apparatus.

- A. With the exception of existing buildings where compliance is impractical, fire lanes shall provide access to:
- (1) The main entrance to the building (and, in the case of multiple-occupancy buildings, the main entrance to each occupancy);
 - (2) Building fire protection system(s);
 - (3) Entrances to equipment areas; and
 - (4) Shipping/loading docks.
- B. With the exceptions of existing buildings where compliance is impractical and those protected with an approved automatic sprinkler system, buildings of a high hazard (as defined by fire code), or having more than two (2) stories above the lowest level of Fire Department access (as defined by fire code), or containing more than five thousand (5,000) square feet on any one (1) floor, the fire lane shall be provided for the entire perimeter of the building.

§ 125-6. Design standards for new building construction.

- A. Fire lanes shall be at least twenty (20) feet in width, located at least ten (10) feet but not more than fifty (50) feet from the building.
- B. Fire lanes shall have an inside turning radius of at least twenty-five (25) feet.
- C. Fire lanes shall not have a vertical grade greater than ten percent (10%). However this grade may be increased to fifteen percent (15%) if the fire lane is paved with approved materials and methods (such as bituminous paving or turf rings).
- D. Any dead-end road or fire lane more than three hundred (300) feet in length shall be provided with a turnaround at the closed end of at least ninety (90) feet in diameter.



WINDHAM REGION COUNCIL OF GOVERNMENTS

Chaplin Columbia Coventry Hampton Lebanon Mansfield Scotland Willington Windham

REGIONAL PLANNING COMMISSION

Date: June 4, 2014
Referral #: 14-05-23-MD
Report on: Zoning

MANSFIELD

East Brook F LLC

To: Town of Mansfield Planning and Zoning Commission
C/o: Linda Painter, Director of Planning

Commissioners;

This referral involves: A proposal to modify the Zoning Regulations pertaining to the Michael's expansion application (Art.6, Sec. B.23.q.2; Art. 8 Schedule of Dimensional Requirements and Notes; Art. 10, Sec. D.6; Art. 10, Sec. D.20 (new); Art. 10, Sec. H.5.e.

Receipt is hereby acknowledged of the above referral. Notice of this proposal was transmitted to the Windham Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

Comments for Inclusion in the Public Record: The Regional Planning Commission reviewed the proposed amendments to the zoning regulations. The commission offers recommendations on how proposals can better meet the goals and vision of the Windham Region Land Use Plan, WINCOG's regional guide for conservation and development. The recommendations of the Regional Planning Commission are purely advisory.

- The proposed changes to the Mansfield Zoning Regulations are consistent with the Windham Regional Land Use Plan 2010 that recommends:

"Implement Flexible Land Use Regulations. Zoning and subdivision regulations should not rely on "cookie-cutter" dimensional and use standards. They should implement conservation values and encourage compatibility with traditional development patterns and the landscape. They should focus on excellence in site design, landscaping, and architecture and may encourage historic preservation and economic development in appropriate areas. Design review procedures should be implemented for new development to preserve rural and neighborhood character. "

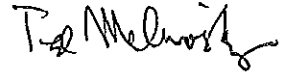
- The proposal will help create more flexible land use regulations in a manner consistent with the policies contained in the Mansfield Plan of Conservation and Development as well as in a manner consistent with recent case law regarding zoning uniformity (i.e. the Mackenzie case).

Distribution: L. Painter, Mansfield; E. Trott, Coventry; S. Yorgensen, Willington; J. Gigliotti, Chaplin; J. Finger, Windham.
R:\FY 2014\Referrals\14-05-23-MD.doc

- The proposal is not anticipated to create negative intermunicipal impacts.

Questions concerning this referral should be directed to Mark Paquette at the Windham Region Council of Governments.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Melinosky".

Ted Melinosky, Vice Chair
WINCOG RPC



June 10, 2014

TO: MANSFIELD PLANNING AND ZONING COMMISSION

REPORT ON ZONING REFERRAL Z-2014-52: Proposed zoning regulation amendments pertaining to landscaped buffer areas, dimensional, parking, and excavation requirements.

COMMISSIONERS: Receipt is acknowledged of the above-mentioned referral. Notice of this proposal was transmitted to the Planning Division of the Capitol Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

COMMENT: The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns.

Questions concerning this referral should be directed to Lynne Pike DiSanto.

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 07/07/14.

DISTRIBUTION: Planner: Willington, Coventry, Columbia, Tolland, Northeastern COG, Southeastern COG, Windham COG

Respectfully submitted,

Sandra Bobowski, Chairman
Regional Planning Commission

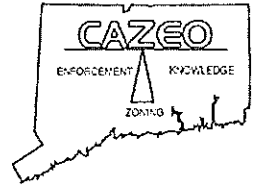
Karl Robert Profe, Vice Chairman
Regional Planning Commission

Lynne Pike DiSanto, AICP
Senior Planner and Policy Analyst

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Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

To: Planning & Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: June 26, 2014

Re: Request for Modification, 1768 Storrs Road (PZC file # 864-3)

The Commission has received a 6/18/14 *Request For Site/Building Modifications* from Mueller Medical LLC, for a change in the non-conforming occupancy of 1768 Storrs Road. The property is located in an R-90 zone, but the property has hosted a number of non-conforming uses over many years. The applicant has compiled a thorough submission after meeting with staff on several occasions, and there will be a notification of the neighborhood.

Staff is placing this application on the agenda for the PZC's 7/21/14 regular meeting for discussion. The full application is being distributed to the Commission at the 7/7/14 meeting to allow ample time to review the application and to provide neighbors the same opportunity. There is no need for any Commission action at this time.

BT Partners LLC
15 Shore Dr.
Coventry, CT 06238
860-742-3681

Ms. Linda Painter
City of Mansfield Planning Dept.
South Eagleville Rd.
Mansfield, Ct 06268

April 3, 2014

Re: 1768 Storrs Rd, Storrs Ct. 06268

Dear Ms. Painter:

Norval Smith, have entered into a Lease / Purchase agreement with Dr Rick McCullough of Mueller Medical International. The leased space occupies the space designated as Building A in drawing A1 and so shown in a floor plan drawing by Dan Wright & Associates, dated 3-19-2014.

I hereby authorize Dr McCullough or his agents to:

Apply for any Federal, State or Town of Mansfield building and zoning permits for Mueller Medical's Pharmaceutical offices, research, production and distribution of their products and the necessary renovations to the property.

Please feel free to call me directly with any questions.

Sincerely,

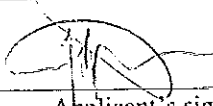


Norval Smith, Partner
BT Partners LLC
15 Shore Dr.
Coventry, Ct.
860-742-9580

ENCLOSURE

REQUEST FOR SITE/BUILDING MODIFICATIONS
(see Article XI, Section D of the Mansfield Zoning Regulations)

APPLICANT/OWNER SECTION

1. Owner(s) B.T. PARTNERS, LLC Telephone 860-478-7003
(please PRINT)
Address 15 SHORE DRIVE Town COVENTRY CT Zip 06268
2. Applicant(s) MUELLER MEDICAL LLC Telephone 860-230-0766
(please PRINT)
Address 48 MOOSUP VALLEY RD Town FOSTER RI Zip _____
3. Site Location 1768 STORRS RD
4. Reference any approved map(s) that would be superseded if this request is approved:
N/A
5. Reference any new map(s) submitted as part of this request:
MAPS & BUILDING DWGS ARE ON FILE
6. Itemize and describe the modification(s) being requested, using separate sheet where necessary. The description must be adequate to determine compliance with all applicable land use regulations: -
SEE ATTACHED
7.  _____ date 6/3/2011
Applicant's signature

(over)

ZONING AGENT'S SECTION

After reviewing this application with respect to provisions of the Mansfield Zoning Regulations, including Article XI, Section D and Article V, Sections A.8 and B.9, the following determination has been made:

1. The subject modification request does not contain adequate information and is therefore denied. Applicable comments are listed below.
2. The subject modification is denied for reasons listed below.
3. The subject modification request has been reviewed with the PZC Chairman and we have concurred that the requested modification is minor in nature. Subject to any special conditions or comments noted below, the subject modification request is approved.
4. The subject modification request has been reviewed with the PZC and, in accordance with PZC action on _____, the subject modification request is approved, subject to any special conditions or comments noted below.
5. The subject modification request has been reviewed with the PZC and, in accordance with PZC action on _____, the subject modification request is considered a significant alteration of the approved plans and/or site, and shall require the submittal and processing of a new site plan or special permit application.
6. Other (see comments below)

Special conditions/comments/reasons for denial:

Zoning Agent's signature

date _____

PZC Chairman's signature (items 3 and 4 above)

date _____

Mansfield Planning and Zoning Commission
C/O Linda Painter, Director of Planning and Development
Audrey P. Peck Municipal Building
4 South Eagleville Road
Mansfield, CT 06268

6/16/2014

Re: Requested Change of Use at 1768 Storrs Road

Introduction

This project entails the proposed change of use of the building on the property designated as 1768 Storrs Road.

The application is made on behalf of the owner B.T. Partners LLC and Mueller Medical International LLC.

Mueller Medical Background and Operations

Mueller Medical International LLC is a life sciences company that researches and develops therapeutic medical solutions for both humans and animals. Products include a medical device for the treatment of chemotherapy-induced mucositis and a medicine that helps fight off diarrhea, vomiting, ulcer colic and other stomach issues that plague many small pets.

Activities involved include the assembly of finished products for commercial distribution supported by research and development and sales and marketing. Activities also include front office administration. The latter activities (sales, marketing and administrative support) will involve the use of more than 90 percent of the leased space for which a use modification is sought. Research and development activities are of an academic nature, involving the review, study and analysis of life science publications for the purpose of understanding the cause of disease(s) and the identification of targets of future therapeutic agents. No wet lab activities are envisioned in this process.

The assemblage of products and distribution will comprise less than 10 percent of the day-to-day operations at the site.

Mueller Medical's operations are consistent with the building's 30-year history of modified uses that center on the assemblage of products for commercial distribution supported by sales, marketing and administration.

Building History

The building at 1768 Storrs Road has varied history of commercial use.

In 1984, AV Associates Inc. purchased the building (known on the plans as Building A), which was originally constructed as a gift shop.

AV Associates designs audio/video systems for corporate meeting rooms, command and control centers, board rooms, classrooms, museum exhibits and theaters.

AV Associates' activities within the building involved sales, administration, engineering and design, fabrication and assembly of existing AV equipment and the testing and final installation of the equipment at the clients' facilities.

A separate operation - AV Staging and Rental - staged large corporate meeting events and trade shows.

Two years after AV Associates acquired the building, the company performed a complete renovation and added a 24-foot addition in the rear for warehouse and shop operations – which is known as Building B. AV Associates also added a new engineered septic system. In 1997, AV Associates added the two-story rear section for service, engineering, video teleconferencing, and expanded shop and warehouse.

The total area of the building (both Building A and B combined) is 16,800 square feet.

In August 2006, new mens' and ladies' rest rooms because of the additional people attending St Paul's church. This included a totally new additional septic system.

In 1999 AV Associates was acquired by a national company which moved all operations to another location in 2003.

The existing mixed uses of the building include the following:

- A 3,900 square-foot space for St. Paul's Collegiate Church;
- A 3,400 square-foot space for a CrossFit workout facility; and
- A 1,000 square-foot space for a Weight Watchers.

Toward that end, Mueller Medical is continuing a pre-existing use of the space that involves the assembly, sales, marketing and distribution of commercial products.

Since 2003, Mueller Medical has assembled and distributed patented products used for the treatment of gastrointestinal disorders for both people and pets. The bulk of Mueller Medical's products are supplemental/herbal based.

After the FDA clearance of a proprietary ulcer remedy in August 2013, Mueller Medical has committed itself to that product for commercial distribution.

For 11 years, Mueller Medical has assembled and distributed Gastrafate, which fights off diarrhea, vomiting, ulcer colic and other stomach issues that plague many small pets. Gastrafate's assembly is based on the use of slippery elm and other herbal constituents; no hazardous waste is generated from the production of Gastrafate. The recently cleared FDA product contains sucralfate, which has 30-year history of commercial use in the United States.

Mueller Medical's assemblage of commercial products involves the securing and mixing of ingredients that are then bottled, labeled and stored for distribution. The assembly process results in less than 1 percent of environmentally safe refuse that is self-contained and handled pursuant to a plan reviewed, licensed and approved by the Connecticut Department of Energy and Environmental Protection.

Requested Change of Use

Mueller Medical is seeking an alteration of the permitted use for Building A from St. Paul's Church office to pharmaceutical. Mueller Medical is also seeking a change of use in Building A from the [church children's room section] to use as storage.

The office space/conference areas will remain the same and will be used on weekdays to run Mueller Medical's operations, which will consist of the sales, marketing and day-to-day administration of the business.

The light manufacturing space will be used on weekdays to mix, bottle and box solutions for veterinarian and human supplement products. There will be no noise generated during the assembly of the solutions.

The building will not require structural changes for either the office space/conference areas or the light manufacturing space. No loading bay will be required for this requested change of use.

All current existing uses within the building will remain unchanged. The only anticipated change in space is that the church will consolidate its office and children's room spaces into the bulk of its existing square footage.

Hours of operation for Mueller Medical will typically be 7:30 a.m. to 5 p.m., Monday through Friday.

Waste Water

The existing septic system will not be used for waste-water disposal from the light manufacturing operation.

Portable closed containers (of no more than 50 gallons) will be kept in a designated, spill-proof area within the space used for the assemblage of products. The placement of containers does not require formal installation. The contents of containers will be transported in accordance to the state Department of Energy and Environmental Protection-licensed procedure to a registered waste-water treatment facility. Permits are currently approved with the DEEP and the Windham Water Pollution Control.

Traffic and Parking

There will be approximately six to 12 employees on site on weekdays during normal business hours. Weekend use of the building will be, at most, sporadic. The impact on traffic on Storrs Road will be negligible. A delivery truck to pick up the product may occur on an as-needed basis, but no more than once a week. In addition, Mueller Medical will, from time-to-time, receive deliveries for the ingredients for its products. Those deliveries are not expected to total more than once a week.

The anticipated employment of 6 to 12 people will be subsumed within the current parking spaces. No additional parking spaces are needed for the building.

Signage, Lighting and Security

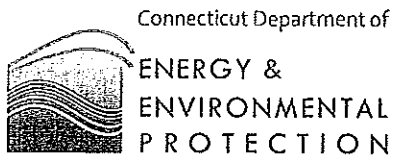
The applicant will work with the Planning and Zoning Commission with regard to proper signage, lighting and security. The applicant is not seeking any variances regarding signage.

St. Paul's Church

According to the building's current owner, St Paul's Church will move its office space and children's room (Dwg, A-1, rooms A-23, 24, & 25), to the second floor (Rooms B-21, 22, 23), which it previously occupied several years ago for similar purposes. There will be no structural changes in that space. The church will be moving its existing office furniture, tables and chairs; the two areas will likely be separated by portable office dividing panels. There will be no changes in its use of existing restrooms or other spaces that St Paul's presently uses.

Conclusion

Given Mansfield's exciting developing bioscience community, we believe that Mueller Medical's gentle use for the building would be an excellent addition to the town.



May 16, 2014

79 Elm Street • Hartford, CT 06106-5127

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

APPROVAL

Mueller Medical International, LLC / McCullough Miller Ent. LLC
48 Moosup Valley Road
Foster, RI 02825
Attention: Dr. Ricky McCullough

Re: Mueller Medical International, LLC
1768 Storrs Rd
Mansfield, CT
Application No. 201404819

The request for approval to haul wastewater generated during the process of mixing nutritional supplements has been reviewed by staff of the Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division. The request is to allow Mueller Medical International, LLC to transport, using their own vehicle(s), up to 30 gallons per day of mixing vessel cleaning water, and associated wastewaters generated during the mixing of nutritional supplements to the Windham Water Pollution Control Facility in accordance with the requirements specified in the Disposal Agreement issued by the Windham Water Pollution Control Facility.

This approval is issued in accordance with section 22a-430 of the Connecticut General Statutes as amended, and as required under Section 5(e)(4) of the General Permit for Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater issued on October 25, 2013.

This approval does not relieve you of the obligation to obtain any other authorizations as may be required by Federal, State or Local laws or regulations.

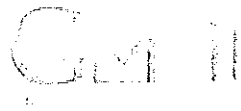
If you have any questions regarding this matter, please contact Donald Gonyea at (860) 424-3827.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kim E. Hudak".

Kim E. Hudak, P.E.
Assistant Director
Bureau of Materials Management and Compliance Assurance
Water Permitting and Enforcement Division

KH/dg



Vehicle Requirements Under the MISC General Permit Approval

Gonyea, Donald <Donald.Gonyea@ct.gov>

Thu, Jun 5, 2014 at 9:41 AM

To: Bob DeRoche <bob.ldr@gmail.com>

Bob,

Your Approval to Haul to Windham does allow you to use your own vehicle and specifically does not require that you hire a hauler. This slightly unusual, but not unique, allowance was granted as we recognize that your wastewater is not a hazardous material and is at small enough volume to be manageable without a licensed hauler.

Thanks,
Don Gonyea, CTDEEP



Eastern Highlands Health District

4 South Eagleville Road • Mansfield CT 06268 • Tel: (860) 429-3325 • Fax: (860) 429-3321

B100A PLAN APPROVAL

May 29, 2014

Norval Smith
B.T. Partners, LLC
15 Shore Drive
Coventry, CT 06238

Proposed Activity: New tenant for existing office space in "Building A" (original south building). Offices of Mueller Medical International
Address: 1768 Storrs Road
Town: Mansfield

Dear Norval Smith:

Your application for the above referenced project has been reviewed by the health district for compliance with the requirements of Connecticut Public Health Code section 19-13-B100a.

The application is approved with the following conditions/comments:

1. The business use is approved for the design flows proposed in the application.
2. All process wastewater generated by Mueller Medical International, LLC shall be disposed of in the manner approved by the Connecticut Department of Energy and Environmental Protection (DEEP). See DEEP approval letter dated May 16, 2014.

We will notify the local building official of this health district approval, but you should contact the town directly to determine when all other required permits will be approved for your project. Please note that any revisions to the approved plans, whether proposed by you or required by others, must be reviewed by the health district to verify compliance with the Public Health Code.

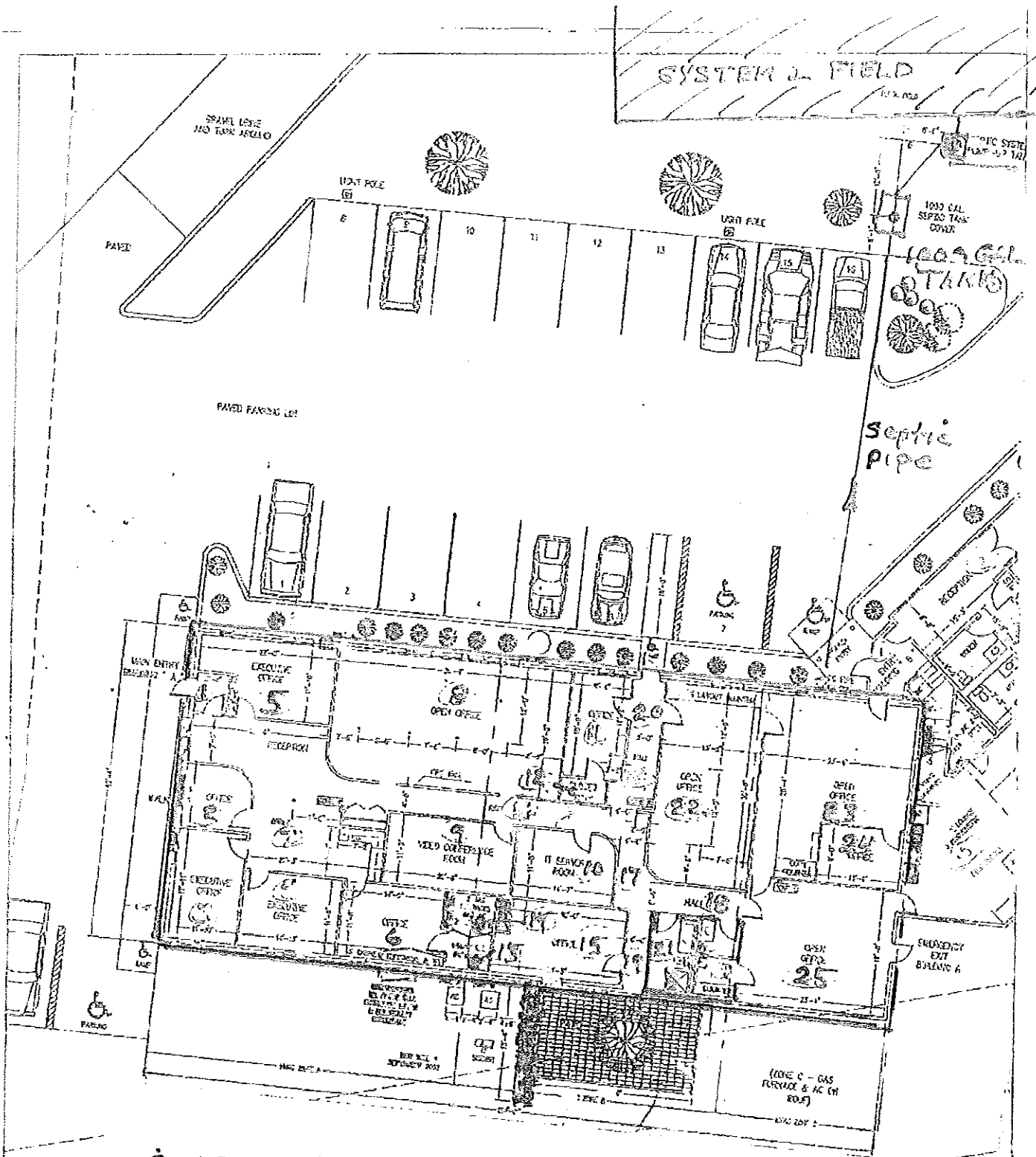
If you have any questions, please call the health district office at 860-429-3325.

Sincerely,

Jeff Polhemus
Chief Sanitarian

Cc: Bob DeRoche

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- FIRST FLOOR PLAN - BUILDING A & B

12

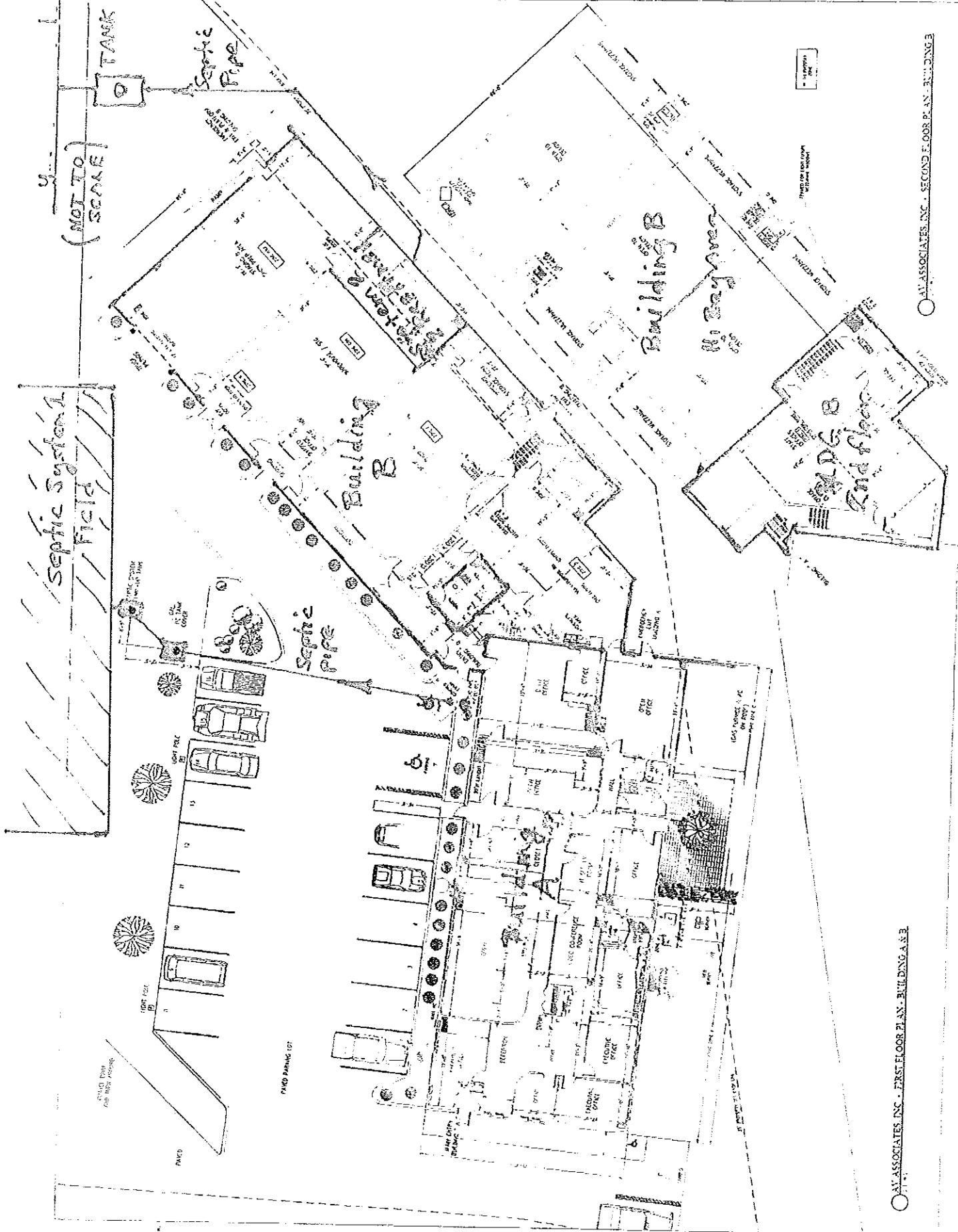
1268 STORRS RD. STORRS, CT 06268	DATE	1/8/10
AV RENOVATIONS BUILDING A & B	ROOM NAME AND SIZE	
1ST & 2ND FLOORS - FLOOR PLAN WITH		

1268 STORRS RD. STORRS, CT 06268	DATE	1/8/10
AV RENOVATIONS BUILDING A & B	ROOM NAME AND SIZE	
1ST & 2ND FLOORS - FLOOR PLAN WITH		

15 SHORT DR.
COVENTRY, CT 06238
PHONE NUMBER (860) 742-9580
E-MAIL: NORVAL@NORVAL.COM
NORVAL & JEAN SMITH
B. T. PARTNERS L.L.C.

AV ASSOCIATES, INC. SECOND FLOOR PLAN - BUILDING B

AV ASSOCIATES, INC. FIRST FLOOR PLAN - BUILDING A & B



**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
PUBLIC WATER SYSTEM SCREENING FORM**
Pursuant to CGS Sections 16-262m & 8-25a and RCSA Section 19-13-B102

Section 1: Basic Information

Project Type:		<input type="checkbox"/> Conversion of Existing Structure/Property	<input type="checkbox"/> Proposed Development
		<input checked="" type="checkbox"/> Unclassified Facility Currently in Operation	<input type="checkbox"/> PWS Classification Review
Anticipated Start Date:			
Name of Facility IT Partners LLC		Proposed/Current Maximum Daily Population Served 50	Proposed/Current Building Capacity 120
WS ID #		Customer of a water company? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Property Address 768 Storrs Rd		Number of Service Connections:	Proposed/current daycare capacity:
City Storrs	State CT	ZIP Code 06268	Residential Non-Res 3 Tenants
		NA	Number of days per year facility is/will be operational: 365
Description of Project (Attach additional pages if necessary): Office type building with a small non-denominational church, a CrossFit Gym and the proposed offices of a Medical distribution firm. The Church and Gym tenants have fewer people during the summer because of UConn's summer schedule.			

Section 2: Facility Information

Will or does the facility supply water for domestic use to its customers, visitors and/or members?: ☒ Yes ☐ No
(domestic use is considered restrooms, hand washing, sinks, drinking fountains, etc.)

Will or do at least 25 persons (including employees, customers, parishioners, visitors, etc. but not necessarily the same persons) visit the facilities/businesses supplied by the water system daily at least 60 days out of the year? ☐ Yes ☒ No

Number of same persons (i.e. employees, students, but not residents) that will or do regularly use the facility on a daily basis for at least six months a year: 12

Number of persons whose primary residence is or will be supplied by the facility based on design population: 0

Facility annual operating period (begin/end dates of operation): From Jan 1 (month/day) to Dec 31 (month/day)

Type of Facilities (Check all that apply) ☐ Residential ☐ School ☐ Food Service ☐ Day Care ☐ Campground
☐ Medical/Dental ☒ Professional Office ☐ Youth Camp ☐ Gas Station ☐ Retail ☐ Manufacturing ☒ Place of Worship
☐ Park/Recreation Area ☒ Other - specify: CrossFit Gym

Section 3: Property Owner Contact Information

Name IT Partners LLC, Norval Smith		Legal Contact Person (if owner is not an individual) Daryl Smith	
Mailing Address 5 Shore Dr		City Coventry	State CT
		ZIP Code 06238	
Telephone 60-742-9580	Fax Same	Emergency Phone 860-478-7003	
E-mail Address orvsmith@aol.com			

Section 4: Certification Statement

I certify to the best of my knowledge that the information provided in this application is complete and correct. I understand that the information I provide will be used by the Department of Public Health, Drinking Water Section to determine if a proposed project or existing facility will be or is considered a water company and a public water system and to also determine the most appropriate steps for initiating the regulatory process.

Signature of Property Owner/Legal Contact: Norval F Smith Date: April 29, 2014

Printed Name of Property Owner/Legal Contact: Norval F Smith

FOR DWS USE ONLY

SPCN: ☐ Yes ☐ No Conversion: ☐ Yes ☐ No Reactivation of former PWS: ☐ Yes ☐ No
 New Water System (currently in operation): ☐ Yes ☐ No PWS Classification Review: ☐ Yes ☐ No
 System Classification: ☐ C ☐ NTNC ☐ TNC ☐ NP Date of determination: _____ DWS Project #: _____

1768 Storrs Rd

6/11/2014

Storrs, CT

Connecticut Health Department has designated the water supply at 1768 as a Public Water Supply.

The following designation information applies

State ID code: CT 1787054

System Name: 1768 Storrs Rd

Expectations: (Landlord responsible)

- pH testing to be taken weekly and reported monthly
- 1st report due July 9th
- pH tester to be supplied
- Faucets and flow meter to be added per State requirements

1768 Storrs Rd – tenant space re-allocation

May 20, 2014

Because of Mueller Medical's needs for the space on the first floor, St Paul's Church has agreed to move their office space and children's room (Dwg, A-1, rooms A-23, 24, & 25),to the second floor area. St Paul will be moving to the second floor space, (Rooms B-21, 22, 23), which they had previously occupied several years ago for similar purposes. There will be no structural changes in that space. They will be moving their existing office furniture, tables and chairs. The two areas will probably be separated by portable office dividing panels.

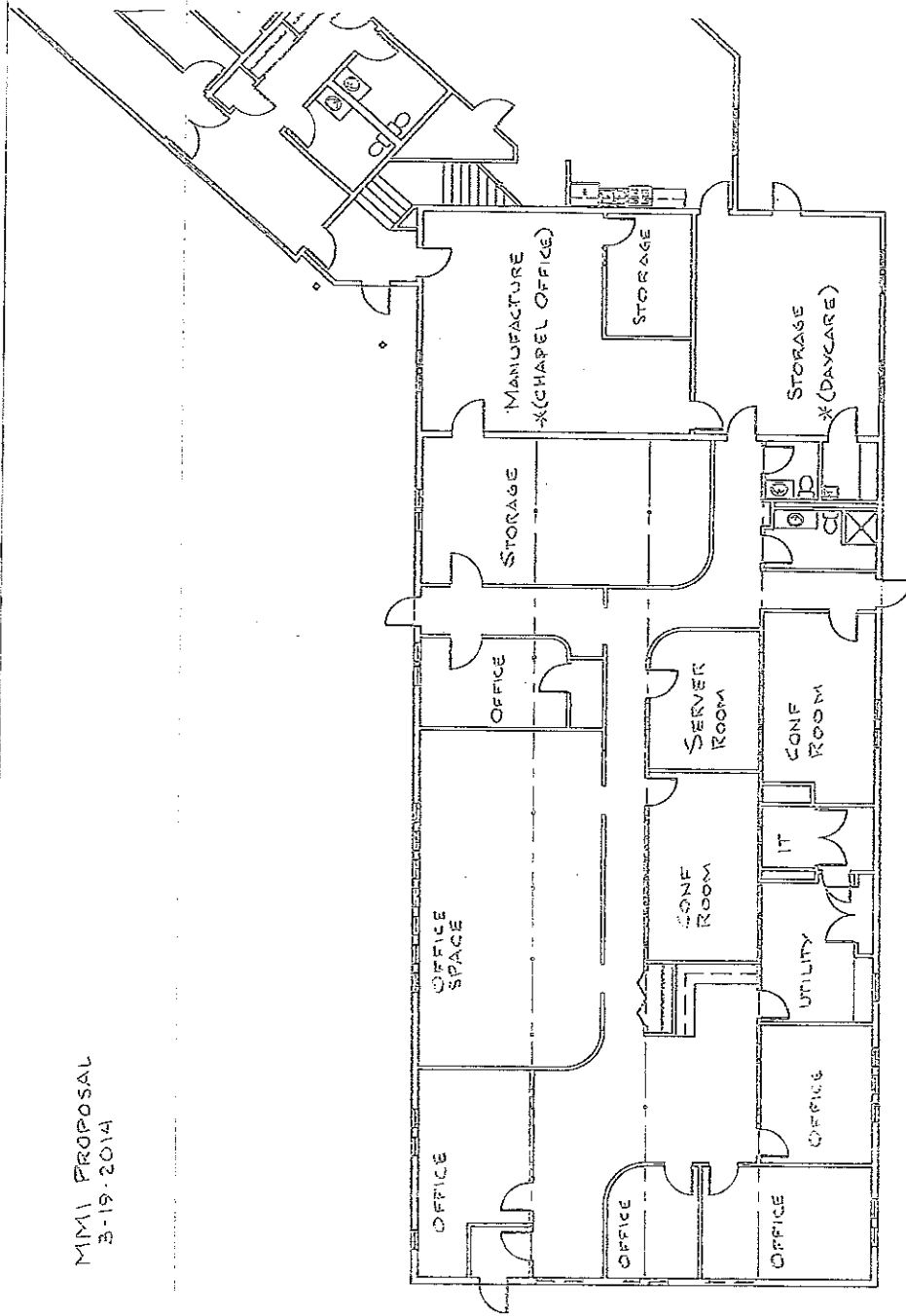
There will be no changes in their use of existing rest rooms or other spaces that St Paul's presently use.

If I can be of any further help, please contact me.

Sincerely,

Norval Smith, Partner
BT Partners LLC

MMI PROPOSAL
3-19-2014



* EXISTING USE

FLOOR PLAN
EXISTING BUILDING
1768 STORRS RD.
MANSFIELD, CT.



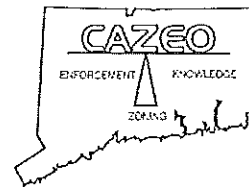
Dan Wright & Associates

• architects •

49 hartford turnpike vernon, ct 06066 (850) 645-3269



Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

Memo to: Planning & Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: July 1, 2014

**Re: Request for release of bond, Mansfield Hollow Hydro, LLC
114 Mansfield Hollow Rd., PZC file # 1243**

On April 6, 2006, the PZC granted a special permit to Mansfield Hollow Hydro, LLC for the development of a hydroelectric power facility at 114 Mansfield Hollow Road, the old Kirby Mill. The special permit approval required the Developer to post a \$5,000 bond with bond agreement, prior to the start of work. The Developer posted said bond and the PZC accepted a Bonding Agreement on 6/6/2013. Condition of the Bonding Agreement stated that "When said work is completed to the satisfaction of the PZC..." that the subject bond shall release the bond.

On June 12, 2014, I conducted a final inspection of the site and determined that full site restoration has been completed with the establishment of a substantial lawn. Previously, I had received documentation from the professionals involved with this project that all work had been completed in accordance with PZC-approved plans and conditions and with additional conditions of the Zoning Permit. I issued the Zoning Certificate of Compliance on 3/26/14, based on these professional reports and a Site Restoration Schedule for a few remaining items. Having completed all requirements of the PZC special permit approval and the zoning permit, Mansfield Hollow Hydro has submitted a 6/19/14 request for the release of the \$5,000 bond. I recommend that the PZC authorize the Finance Director to release the \$5,000 bond, together with accumulated interest, to Mansfield Hollow Hydro LLC, pursuant to the 6/6/13 Bonding Agreement, because the work required under said agreement, at 114 Mansfield Hollow Road, has been completed.

Staff has had a discussion regarding the efficiency of requiring PZC authorization for the release of Bonds and other financial guarantees. From a practical side, the Zoning Certificate of Compliance and the Building Certificate of Occupancy have been issued prior to any request for bond release. If various permit levels have completed their inspections to verify full completion of work and compliance with any approval conditions of the permits, shouldn't that serve as evidence of completion? It is our opinion that future financial agreements should be written in such a way that the Director of Planning & Development has the authority to verify completion of a project and authorize the release of bonds. The current procedure is not part of our regulations. It is simply the way it's been done.

Mansfield Hollow Hydro LLC

June 19, 2014

Curt B. Hirsh, Zoning Agent
Planning and Zoning Commission
Audrey P. Beck Municipal Building
4 South Eagleville Road
Mansfield, CT 06268

Re: Mansfield Hollow Hydro
Request for release of Bond for Zoning Permit Application # 13-6-5

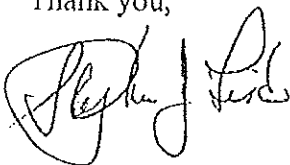
Dear Mr. Hirsh,

Please be advised that the project has been completed in accordance with the PCZ-approved plans. Pursuant to the Zoning Permit Application and the Bonding Agreement we request the release of the \$5,000 bond that was posted for this project. Please make payment to O'Connell Development Group Inc., PO Box 867, Holyoke, MA 01041.

In accordance with the inspection of the project on Thursday June 12, 2014 and as confirmed by email on June 13, 2014 the site is sufficiently stabilized and has received your final approval.

Please email or call me if you should have any comments or questions.

Thank you,



Stephen J. Fisk
General Manager

O'Connell Energy Group
Suite 200, 57 Suffolk St.
Holyoke, MA 01040

O'CONNELL
—ENERGY GROUP—

Office: 413.534.4660
Fax: 413.536.4911
Mobile: 413.537.9029
Email: sfisk@oconnells.com

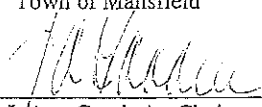
This Agreement entered into on June 6, 2013, between the Town of Mansfield, by its Planning and Zoning Commission (PZC) and Mansfield Hollow Hydro, LLC, (Developer).

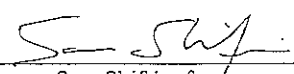
Recitals:

- A. The Developer made application for the development of a hydroelectric power facility at 114 Mansfield Hollow Road, and said application was approved with conditions by the PZC on April 3, 2006 and modified on 5/3/10. One of the conditions of the 4/3/06 approval required the Developer to post a bond prior to the start of site work. Said bond, to be in the amount of \$5,000, was required to address potential site restoration emergencies.
- B. On April 3, 2006, the Planning and Zoning Commission authorized the PZC Chairman to accept a bond with related agreements.
- C. The Developer has agreed to post the required bond in cash to address potential site restoration emergencies. Said bond is to be in the form of a bank check or certified check payable to the Town of Mansfield.

The Parties agree:

1. Said cash bond shall be delivered to the Mansfield Finance Director and the subject funds shall be retained for the purposes herein set forth.
2. Upon execution of this agreement and the receipt for the cash bond, the Zoning Agent shall be authorized to issue a Zoning Permit for hydroelectric power facility work specifically authorized by the Planning and Zoning Commission.
3. The Developer shall complete, to the satisfaction of the PZC, and in accordance with all conditions of approval, all site work as depicted on the approved plan prior to 9-30-14, or prior to any revised deadline established by the PZC, whichever comes first. A written certification from the Developer's engineer shall be submitted to substantiate that all required site improvements were completed according to the approved plan.
4. The Developer shall take immediate action to resolve any site development problems associated with the project.
5. In the event the Developer fails to complete the required site work satisfactorily by 9-30-14 or, in the event that any site work related emergencies are not remedied within forty-eight (48) hours of notice to the Developer or his agent onsite, the Town shall have the right, without interference from the Developer, to implement, or contract to have implemented, the required work, including sediment and erosion controls, and, in such event the cost thereof and related bonding agreement expenses shall be paid from the cash bond. Said process shall be accomplished in a summary manner without further notice to the Developer.
6. When said work is completed to the satisfaction of the PZC, whether pursuant to paragraph 3 or 5 above, the Finance Director shall forthwith deliver to the Developer any funds not utilized pursuant to this agreement.
7. The subject cash bond shall earn simple interest at a rate equal to one-half percent less than the average rate of return on the State Treasurer's Investment Fund (STIF).

Town of Mansfield
by 
JoAnn Goodwin, Chairman
Planning & Zoning Commission

Developer
by 
Sam Shifrin, for
Mansfield Hollow Hydro, LLC

by 
Cherie Trahan, Mansfield Director of Finance

DATUM ENGINEERING & SURVEYING, LLC
132 Conantville Road
Mansfield Center, CT 06250

Phone: 860-456-1357
Fax: 860-456-1840
Edward Pelletier, L.S.
Email: e.pelletier@datumengr.com

March 24, 2014

Curt Hirsch, Zoning Agent
Town of Mansfield
Four South Eagleville Road
Storrs, CT 06268

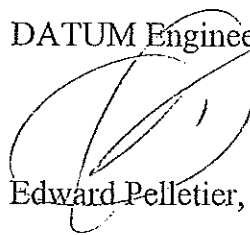
Re: 114 Mansfield Hollow Road, Mansfield Center

Dear Mr. Hirsch:

The existing structures at the above referenced location were located in the field by our office on November 21, 2013. The completed structures are located in accordance with the design plans and shown on an as-built plan entitled "Mansfield Hollow Hydro As-built (structures only) for Mansfield Hollow Hydro, LLC Date: March 24, 2014 Scale: 1" = 30'". See attached as-built plan.

Respectfully submitted,

DATUM Engineering & Surveying, LLC

A handwritten signature in black ink, appearing to be 'E. Pelletier', written over the printed name.

Edward Pelletier, L. S.

COPY: File
O'Connell Energy Group

TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development
Date: Wednesday, July 02, 2014
Subject: Request for Tree Removal along Dog Lane- Designated Scenic Road
File #1010-5 and File #1010-8

Steve Child, on behalf of Connecticut Light and Power, is seeking approval for the removal of a total of 21 trees along sections of Dog Lane and Gurleyville Road, both of which are Mansfield designated "Scenic Roads." Based on provisions of Mansfield's Scenic Road Ordinance, the subject work must be authorized by the Town Council after the PZC conducts a Public Hearing and forwards a recommendation to them. The Scenic Road ordinance also requires referrals to the Tree Warden/Public Works Director and to owners of frontage on Dog Lane and Gurleyville Road within 500 feet of the subject trees.

Accordingly it is recommended that the Planning and Zoning Commission schedule a Public Hearing for Monday August 4, 2014 for tree removal on Dog Lane and Gurleyville Road and that staff refer the subject request to the Tree Warden/Public Works Director, the Town Council and property owners who have frontage within 500 feet of the subject trees.

Mansfield Scenic Road Trees

CL&P Removals

<u>Loc #</u>	<u>Address</u>	<u>Pole #(s)</u>	<u>Specie</u>	<u>Ownership</u>
1	79 Dog Lane	3422-3423	Ash	Town
2	79 Dog Lane	3423-3422	Ash	Private
3	79 Dog Lane	3423-3422	Hickory	Town
4	79 Dog Lane	3424-3423	Sugar Maple	Private
5	98 Dog Lane	917-3425	White Oak	Town
6	98 Dog Lane	917-3425	Red Oak	Town
7	98 Dog Lane	917-3425	Ash	Town
8	127 Dog Lane	912	Sugar Maple	Town
9	149 Dog Lane	909-910	Red Maple	Private
10	149 Dog Lane	910-911	Sugar Maple	Private
11	149 Dog Lane	5002-909	Elm	Town
12	Int Dog Ln and Bundy 908		Red Maple	Private
13	Int Dog Ln and Bundy 908		Pine	Private
14	287 Gurleyville	1711	Hickory	Town
15	287 Gurleyville	1711-1710	(2)R Pine/W Pine	Private
16	287 Gurleyville	1710	White Pine	Private
17	287 Gurleyville	1710	Red Oak	Private
18	Gurleyville (Wooded) 1684-1682		(2) Oaks	Private
19	Gurleyville (Wooded) 1689-1688		(2) Hemlocks	Private
20	217 Gurleyville	1694-1693	Ash	Town
21	217 Gurleyville	1694-1693	Pine	Town

Jessie Shea

Subject: FW: Tree inventor Dog La.

From: stephen.child@nu.com [mailto:stephen.child@nu.com]
Sent: Wednesday, June 18, 2014 9:33 AM
To: Linda M. Painter
Cc: Mark Kiefer; Tony Wilber
Subject: Fw: Tree inventor Dog La.

Please consider this request for removal of (12) trees on Dog Lane that have been identified removal candidates for reliability, however not deemed hazardous by the Mansfield Tree Warden. These trees fall within the "posting" category and since Dog Lane is a "scenic" road in the town, needs a public hearing, according to Mansfield's statutes.

Please inform me of the needed steps, which I assume will include a listing/location/mapping of the (12) trees that I will provide with the contractor (Tennett) in order to proceed with the Public Hearing.

My contacts are stephen.child@nu.com and my cell is 860-465-6272

Thank you
Steve Child

----- Forwarded by Stephen G. Child/NUS on 06/18/2014 09:21 AM -----

From: Mark Kiefer <KieferM@mansfieldct.org>
To: Stephen G. Child/NUS@NU, "Tennett.tree@snet.net" <Tennett.tree@snet.net>,
Cc: "Linda M. Painter" <PainterLM@mansfieldct.org>, "Curt B. Hirsch" <HirschCB@mansfieldct.org>, Jessie Shea <SheaJL@mansfieldct.org>, "John C. Carrington" <CarringtonJC@mansfieldct.org>
Date: 05/21/2014 11:28 AM
Subject: RE: Tree inventor Dog La.

Mr. Child,

I have identified 12 trees on Dog Lane that will need an application through The Town of Mansfield Planning and Zoning Department. Please contact Linda Painter the Director of Planning and Development for details concerning the application. She can be reached at painterlm@mansfieldct.org or 860-429-3329. I will work with Tony Wilber from Tennant Tree to address the 9 trees on dog Lane that have been identified as hazards. If you have any questions, I can be reached at 860-429-3676.

Mark Kieferpaoi
Town of Mansfield
Tree Warden

From: Linda M. Painter
Sent: Wednesday, May 21, 2014 9:55 AM
To: Mark Kiefer
Cc: John C. Carrington; Curt B. Hirsch; Jessie Shea
Subject: RE: Tree inventor Dog La.

Per the scenic road ordinance, there is no special approval needed to remove hazardous trees. The 12 trees that are in fair to good condition will require a public hearing by PZC and ultimately approval by the Town Council. We will need an application from CLP to make this alteration to the road.

Linda M. Painter, AICP
Director of Planning and Development
Town of Mansfield

From: Mark Kiefer
Sent: Wednesday, May 21, 2014 9:05 AM
To: Linda M. Painter
Cc: John C. Carrington
Subject: Tree inventor Dog La.

Linda,

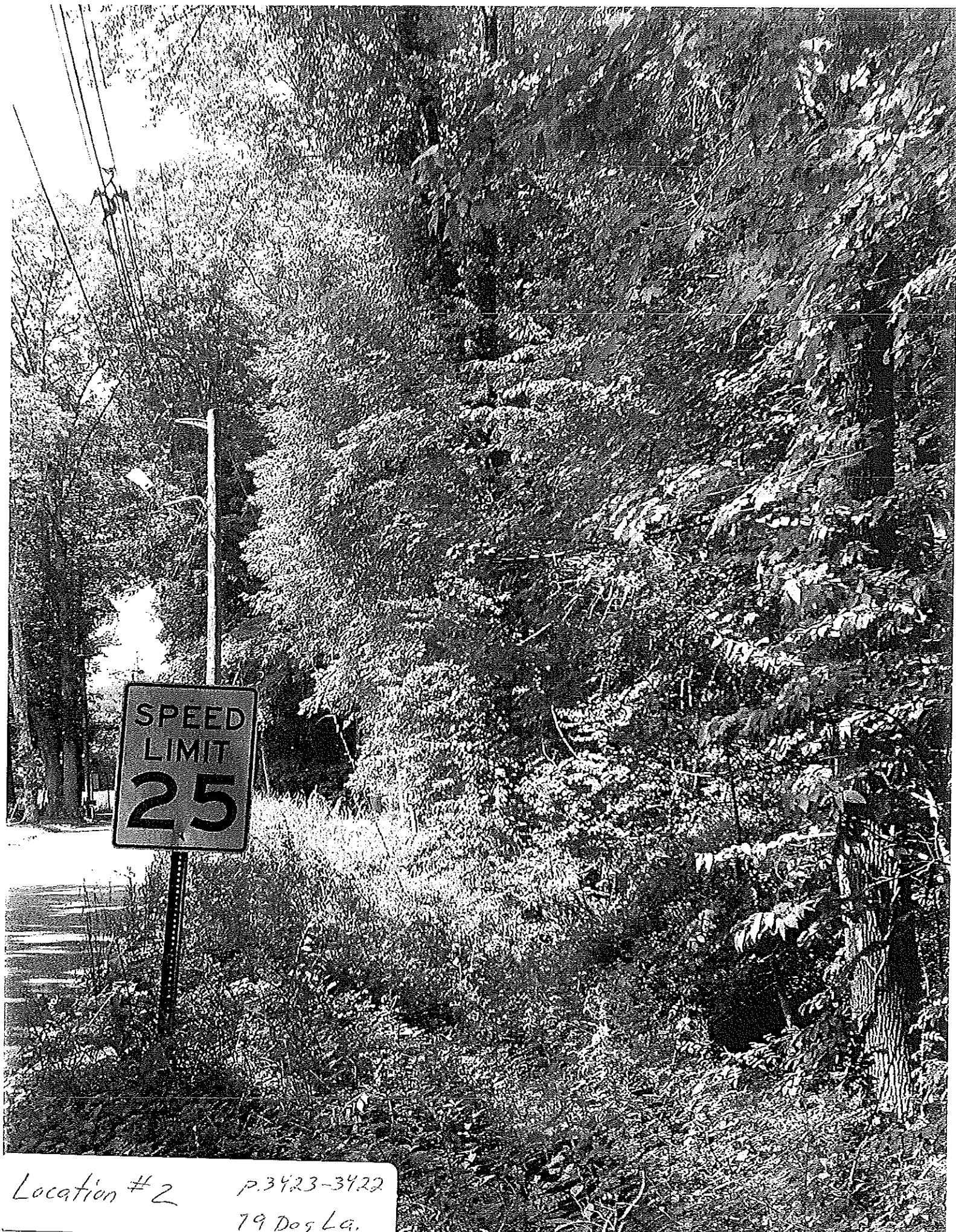
I have taken an inventory of trees on Dog la. flagged by CL&P for removal. 9 are dead or dying and should be remove for Public Safety. 12 are in fair to good condition. As Tree Warden the procedure per State Statute is to post living trees for removal with a 10 day posting period. I normally do not post dead trees as they are a hazard and should be removed due to liability. Tennant Tree has permission from all the home owners with flagged trees on their property .

Please advise concerning the Scenic Road Ordinance. I have not posted any trees as of yet and will not until you decide what is to be done concerning the Ordinance. I would recommend letting them remove the 9 dead trees (saves the Town \$4500 removal cost and possible millions in damages) post the remaining trees and see if we get a protest of removal then decide if a public hearing is required. Let me know what you think. I will send you the tree inventory on the scenic portion of Gurleyville Rd. once I have finished.

Mark



Location #1 P. 3422-3423
79 Dog La.



Location #2

P.3423-3422

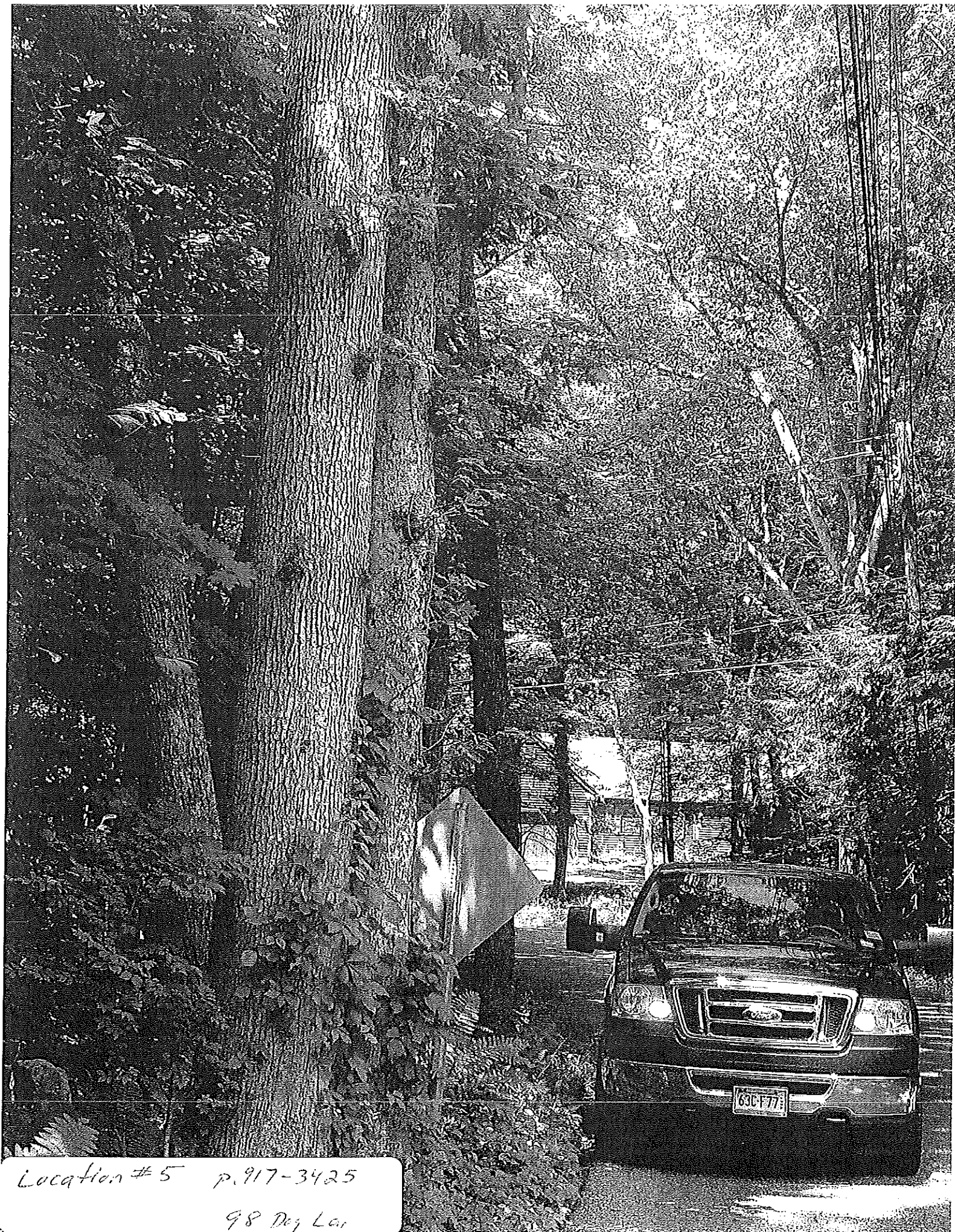
79 Dog La.



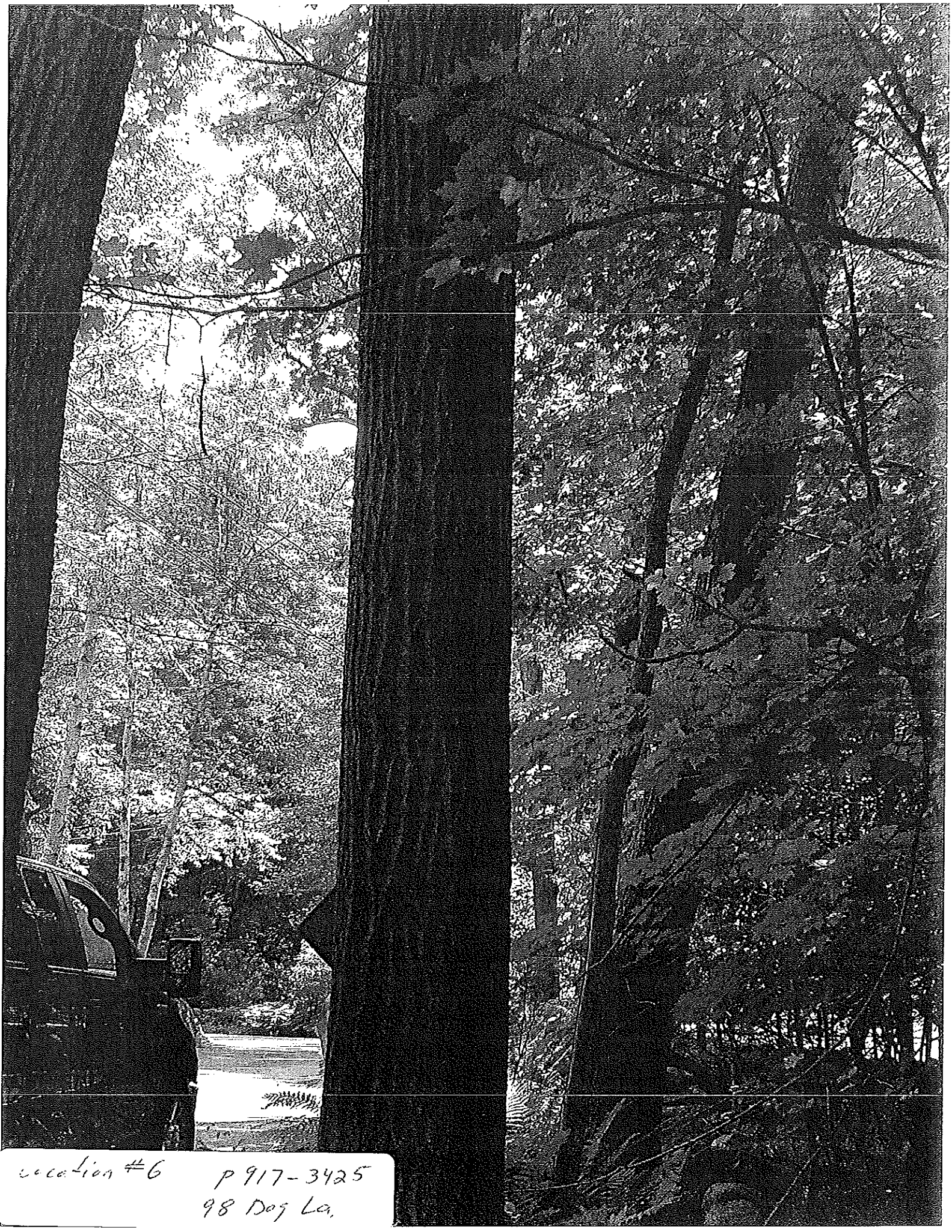
Location #3
P. 3423-3422
79 Dry La.



Location #4 p. 3424-3423
79 Dog La.

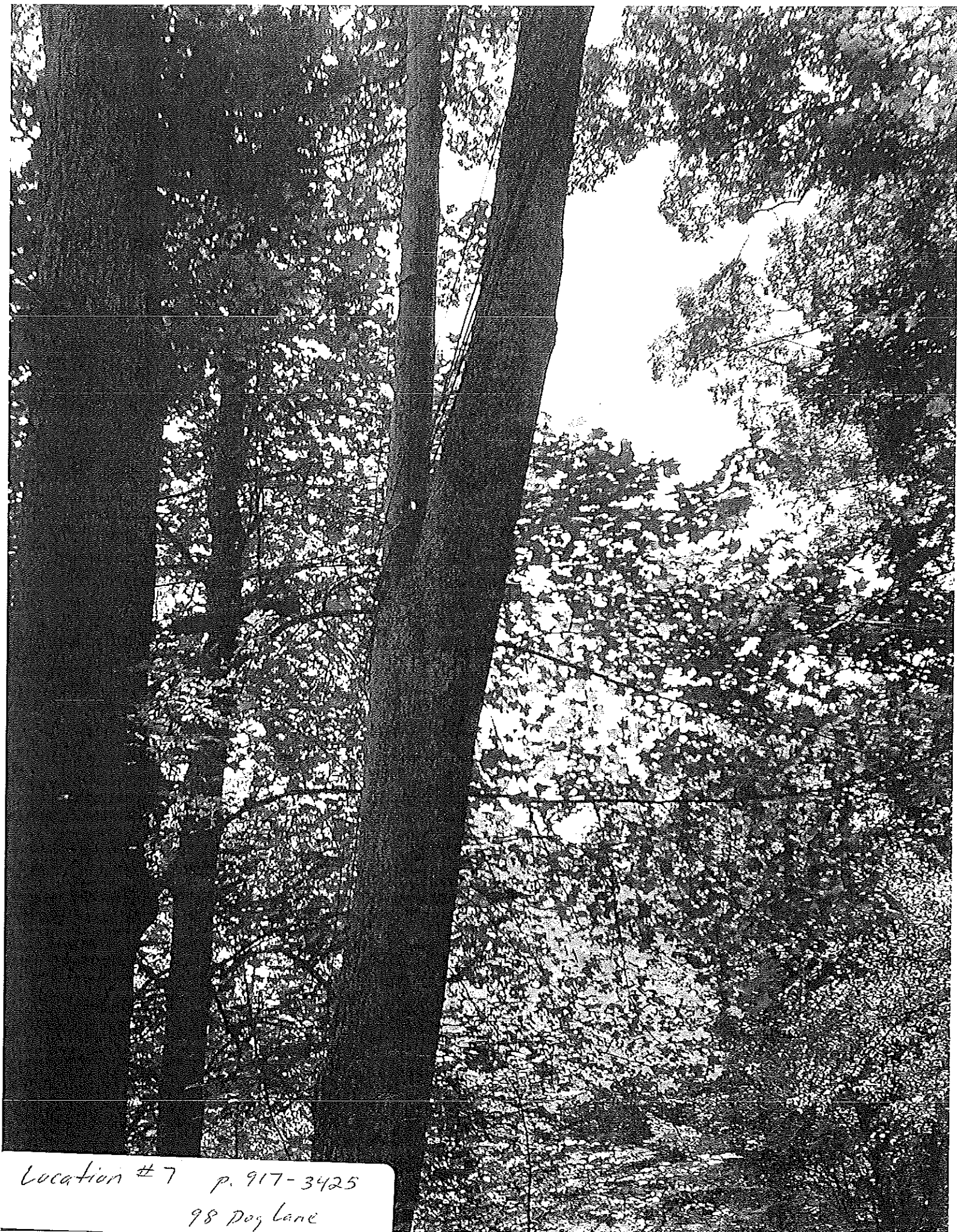


Location #5 p.917-3425
98 Dog Lar



location #6

P 917-3425
98 Dog La.



Location #7 p. 917-3425
98 Dog Lane



Location #8

p. 912

127 Dog Ln.



Location # 9 p. 909-910
149 Dog La.



Location # 10 p. 910-911
149 Dog Co.



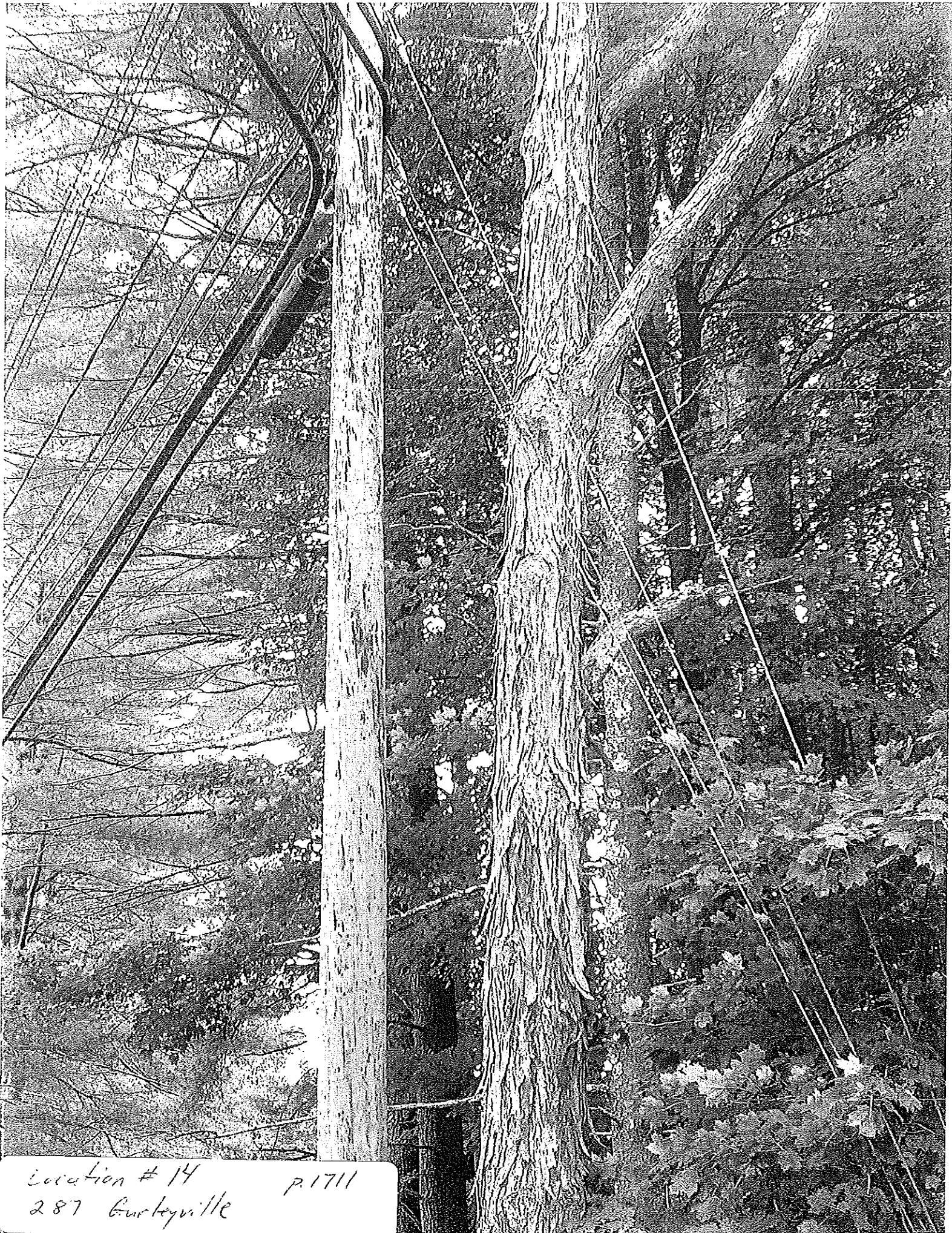
Location # 11 p. 5002-909
149 Dog L.a.



Location #12 P. 908
Int. Dog Ln and Bundy



Location #13 p. 908
Int. Doyle and Bundy



Location # 14
287 Gurteville p. 1711



Location # 15 p. 1711-1710
287 Gurkayville



Location # 16 p. 1710
287 Gurlayville



Location # 17 P. 1710
287 Buckeyeville



Location #18 p. 1684-1682
Wooded section Gurleyville



Location # 19 p. 1687-1688
Wounded section Gurlayville



Location # 20 p. 1694-1693
217 Buckeyeville



Location # 21 p. 1694-1693

217 Gurleyville Rd

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TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Planning and Zoning Commission
From: Linda M. Painter, AICP, Director of Planning and Development
Date: Wednesday, July 02, 2014
Subject: August 18, 2014 Meeting

Due to the indication that several members will be absent at the August 18, 2014 meeting of the Planning and Zoning Commission, the following motion has been prepared if members deem it appropriate. That the Planning & Zoning Commission cancel the August 18, 2014 meeting for the Planning and Zoning Commission.

2014 SUMMER VACATION SCHEDULE

	JULY		AUGUST		SEPTEMBER	
	7	21	4	18	2	15
GOODWIN						
CHANDY	?		?			
HALL	X		X			
HOLT		?	X			
LEWIS				X		
PLANTE	X			X		
POCIASK	X	X		X		X
RAWN						
RYAN				X		
AHO						
WARD				X		X
WESTA		X				

GOODWIN
CHANDY
HALL
HOLT
LEWIS
PLANTE
POCIASK
RAWN
RYAN
AHO
WARD
WESTA

DRAFT MEETING MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
SUB COMMITTEE ON INFRASTRUCTURE NEEDS
SPECIAL MEETING

Monday, June 23, 2014 ▪ 10:30 AM

Audrey P. Beck Municipal Building ▪ 4 South Eagleville Road ▪ Conference Room B

1. Call to Order

The meeting was called to order at 10:30 a.m. The following subcommittee permanent members were present: Plante, Rawn and Holt.

2. Discussion RE: Criteria for prioritizing walkway and bikeway projects and project priority list

Painter distributed a revised criteria and project priority list based on the following changes by the Transportation Advisory Committee (TAC):

- Expand criterion related to existing high pedestrian/bicycle use to include potential for high use.
- Add a criterion for constructability/cost that would give credit to projects that are relatively easy to construct and therefore less expensive
- Add a criterion that would emphasize safety over shortest and most direct routes when identifying bicycle routes
- Add the following segments to the priority list:
 - Hunting Lodge Road (Birch Road to Goodwin School)
 - Conantville/Pollack to rear Eastbrook Mall Entrance
 - South Eagleville Road (Route 195 to Town Hall entrance drive)
 - North Eagleville Road (Northwood to Route 32) – consider as a potential bike route

Members discussed the requested changes and made the following recommendations:

- Expand criterion to include potential high pedestrian bicycle use with understanding that credit for potential use would only be awarded if supported by data such as survey results, accident data, etc. Anecdotes alone would not be enough to award credit for potential use.
- Add the constructability/cost criterion as recommended.
- Do not include safety as separate criteria. Safety should be inherent in any project and should not be stated separately. Additionally, the criterion as proposed relates to siting of bicycle routes, not walkway/bikeway infrastructure and therefore is not applicable to this list.
- Add and score the projects proposed by the TAC with the exception of North Eagleville Road, which is a bike route and not an infrastructure project.

3. Adjournment

The meeting was adjourned at 11:21 a.m.

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